

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-04 INR-07 L-03 ACDA-07
NSAE-00 PA-01 SS-15 PRS-01 SP-02 USIA-06 TRSE-00
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FM USMISSION NATO
TO SECSTATE WASHDC PRIORITY 4007
SECDEF WASHDC PRIORITY

C O N F I D E N T I A L NATO 04674

E.O.11652: GDS
TAGS: CSCE, NATO, MILI
SUBJECT: CSCE/CBMS: FRG TEXT ON LOWERING OF THE CBM
THRESHOLD

THE FOLLOWING IS THE TEXT OF FRG PAPER ON LOWERING OF
NOTIFICATION THRESHOLD REFERRED TO IN SEPTEL WHICH REPORTS
ALLIED SUGGESTIONS FOR ISD 141.

BEGIN TEXT:

IN CONSIDERING THE DUTCH DRAFT TEXT OF 21 JANUARY, 1977 FOR
THE LOWERING OF THE THRESHOLD, WE HAVE CERTAIN DOUBTS FROM
A LEGAL POINT OF VIEW, CONCERNING THE FIRST OF THE TWO
ALTERNATIVE WORDINGS. THIS WORDING COULD CREATE THE
IMPRESSION AS IF THE INTENTION WAS TO UNDERTAKE AN AUTHEN-
TIC INTERPRETATION OF THE TEXT OF THE PROVISION.

HOWEVER, WE WISH TO AVOID THIS ON PRINCIPLE IN ORDER NOT TO
ENDANGER THE INTERNAL STRUCTURE AND THE BALANCE OF THE
FINAL ACT. RATHER, ALSO AS FAR AS THE LANGUAGE IS CON-
CERNED, THE PROPOSAL SHOULD CLEARLY APPEAR AS IMPLEMENTING
THE FINAL ACT. MOREOVER, IN BOTH DUTCH ALTERNATIVE TEXTS
THE WORDS "SONT CONVENUS" PROVIDE FOR TOO STRONG A COMMIT-
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MENT WHICH THE FINAL ACT DOES NOT DO IN A LEGAL SENSE.

WE WOULD THEREFORE LIKE TO OFFER THE FOLLOWING ALTERNATIVE
WORDING:

"THE REPRESENTATIVES APPOINTED BY THE MINISTERS OF FOREIGN
AFFAIRS OF THE STATES PARTICIPATING IN CSCE

-REFERRING TO THE PROVISION ON THE PRIOR NOTIFICATION OF
MAJOR MILITARY MANOEUVRES CONTAINED IN THE DOCUMENT ON
CONFIDENCE-BUILDING MEASURES AND CERTAIN ASPECTS OF
SECURITY AND DISARMAMENT

-NOTE, THAT IN IMPLEMENTING THIS PROVISION, THE PARTICI-
PATING STATES WILL ALSO INCLUDE MANOEUVRES INVOLVING A
TOTAL STRENGTH OF BETWEEN 10.000 AND 25.000 TROOPS TO THE
EXTENT THAT THESE MANOEUVRES CORRESPOND IN ALL OTHER
RESPECTS TO THE PROVISION ON THE PRIOR NOTIFICATION OF
MAJOR MILITARY MANOEUVRES

-THEY FURTHER NOTE THAT, IN IMPLEMENTING THIS PROVISION,
NOTIFICATION WILL BE GIVEN 30 TO 60 DAYS PRIOR TO THE
BEGINNING OF THE MANOEUVRE, OR, IF A MANOEUVRE IS SCHED-
ULED AT SHORTER NOTICE AS SOON AS POSSIBLE PRIOR TO ITS
BEGINNING."

END TEXT. BENNETT

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Message Attributes

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Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 03-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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